

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. Jessica S. Allen  
v. :  
FRANKLIN NORBERTO : Mag. No. 25-8185  
BAUTISTA REYES :  
: **CRIMINAL COMPLAINT**  
:

I, Kyle Peabody, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**SEE ATTACHMENT A**

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

**SEE ATTACHMENT B**

continued on the attached pages and made a part hereof.

/s/ Kyle Peabody

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Special Agent Kyle Peabody  
Federal Bureau of Investigation

Special Agent Peabody attested to this Affidavit by telephone pursuant to F.R.C.P. 4.1(b)(2)(A) on this 13th day of June, 2025.

/s/ Jessica S. Allen

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Hon. Jessica S. Allen  
United States Magistrate Judge

**ATTACHMENT A**

**(Escape from the Custody of an Institution or Officer)**

On or about June 12, 2025, in the District of New Jersey, and elsewhere, the defendant,

**FRANKLIN NORBERTO BAUTISTA REYES,**

did knowingly escape from the custody of the Attorney General and her authorized representative, and from custody under or by virtue of any process issued under the laws of the United States by any court, judge, or magistrate judge, and from the custody of an officer or employee of the United States, pursuant to lawful arrest, as a result of confinement for exclusion or expulsion proceedings under the immigration laws.

In violation of Title 18, United States Code, Section 751(a).

**ATTACHMENT B**

I, Kyle Peabody, am a Special Agent with the Federal Bureau of Investigation (“FBI”). The information contained in the complaint is based upon my personal knowledge, as well as information obtained from other sources, including: (a) statements made or reported by various witnesses with knowledge of relevant facts; (b) my review of publicly available information; and (c) my review of evidence, including documents and physical evidence. Because this complaint is being submitted for a limited purpose, I have not set forth every fact that I know concerning this investigation. Where the contents of documents and the actions and statements of others are reported, they are reported in substance and in part, except where otherwise indicated. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. At all times relevant to this Complaint, the defendant, FRANKLIN NORBERTO BAUTISTA REYES (“BAUTISTA REYES”), was a native and citizen of Honduras and was not a citizen of the United States.

2. On or about July 17, 2021, between the designated ports of entry, at or near Rio Grande City, Texas, BAUTISTA REYES attempted to enter the United States without inspection, admission, or parole by an immigration officer.

3. On or about July 17, 2021, U.S. Border Patrol apprehended BAUTISTA REYES and issued him a Notice to Appear, Form I-862.

4. On or about May 3, 2025, the Wayne Township Police Department arrested BAUTISTA REYES for aggravated assault with a weapon, terroristic threats, and possession of a weapon for unlawful purposes. At that time, he was detained at the Passaic County Jail.

5. On or about May 5, 2025, officers with U.S. Immigration and Customs Enforcement – Enforcement and Removal Operations (“ICE-ERO”) apprehended BAUTISTA REYES, at which time he was detained in the custody of the Attorney General pending removal proceedings.

6. On or about June 12, 2025, BAUTISTA REYES was detained at Delaney Hall, a privately owned detention center, which currently operates as a federal immigration detention facility. On or about that date, BAUTISTA REYES escaped from Delaney Hall. Specifically, BAUTISTA REYES fled the facility by breaking through an aluminum second-story wall, dropping mattresses through the opening in the wall to provide a landing place on which to jump, and utilizing bed sheets to cover barbed wire in order to climb over the fence.